

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

LLOYD TAFOYA, as Personal Representative
of the Wrongful Death Estate of
KATHERINE HERRERA, deceased;
NICHOLAS LEGER, as Personal Representative
of the Wrongful Death Estate of
SAMUEL HERRERA, deceased;
RACHEL HERRERA, DANIEL HERRERA, LOGAN HERRERA,
JUANITA DUNLAP, and GEORGE DUNLAP,

Plaintiffs,

vs.

Civ. No. 16-458 KG/KBM

NEW PRIME, INC.; JEREMY SCUDDER;
and NEW MEXICO DEPARTMENT OF
TRANSPORTATION,

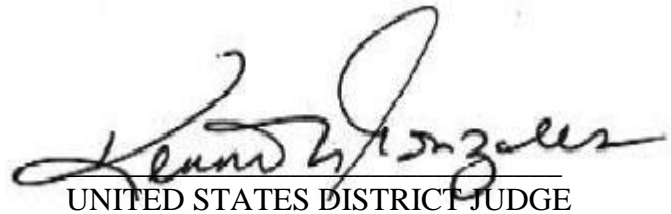
Defendants.

ORDER OF REMAND

This matter comes before the Court upon Plaintiffs' Motion to Remand and for Costs and Fees, and Request for Expedited Review (Motion to Remand), filed on May 27, 2016. (Doc. 20). Defendants filed a response on June 14, 2016, and Plaintiffs filed a reply on June 30, 2016. (Docs. 26 and 37). On July 21, 2016, the Court held a hearing on the Motion to Remand. At the hearing, Mark Baker represented Plaintiffs, Megan Day Hill represented Defendants New Prime, Inc. and Jeremy Scudder, and Ripley Harwood represented the New Mexico Department of Transportation.

Having reviewed the Motion to Remand, the accompanying briefing, the relevant law, and the argument of counsel at the July 21, 2016, hearing, and for the reasons articulated at the July 21, 2016, hearing, the Court ORDERS that the Motion to Remand (Doc. 20) is granted in part in that

1. this case is remanded to the Fourth Judicial District Court, County of San Miguel,
State of New Mexico; and
2. Plaintiffs' request for an award of attorney's fees and costs is denied.



UNITED STATES DISTRICT JUDGE